

REMARKS

I. INTRODUCTION

The specification has been amended. Claim 1 has been amended. Claim 19 has been cancelled. Thus, claims 1-18 and 20-29 remain pending in the present application. No new matter has been added. In light of the above amendments and the following remarks, Applicant respectfully submits that all presently pending claims are in condition for allowance.

II. 35 U.S.C. § 102(b) REJECTION SHOULD BE WITHDRAWN

Claims 1-19 stand rejected under 35 U.S.C. §102(b) for being anticipated by Fesco (U.S. Patent No. 3,738,091).

Claim 1 has been amended and now recites “[a] filter bag for a vacuum cleaner, comprising: *a substantially tubular bag made from a bag material having at least one non-woven composite layer*, the bag having a closed free end area and an at least partially closed area opposite the closed free end area; and a retaining plate, *wherein edges of the bag are at least partially interconnected by a weld seam to form the at least partially closed area*, and wherein a bottom of the bag is formed by at least partially interconnecting plies of the bag material at least in areas in which plies of the bag material lie one above the other.”

In contrast, Fesco discloses a vacuum cleaner filter bag “generally comprised of an enclosure such as a paper bag.” (See Fesco, col. 2, ll. 66-67). The Fesco disclosure of using paper does not meet the recited *non-woven composite material*. Furthermore, Fesco describes the method by which the filter bag is made. This method consists of a sequence of deforming a blank 40, which comprises a plurality of panels and folding lines. (*Id.*, col. 3, ll. 19-65, Fig. 6). After creating the bag using the method disclosed by Fesco, the “provision of the adhesive defined by the stippled areas on the panels 48 and 62 respectively permits the bag 20 to be closed at the opposite end thereof. (*Id.*, col. 5, ll. 66-

68). Fesco fails to disclose or suggest that a weld seam, as in present invention, connects the edges of the bag. Also, it would not be possible to weld paper. Therefore, Applicant respectfully submits that claim 1 is allowable. Because claims 2-18 depend on and, therefore, contain all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable.

III. 35 U.S.C. § 103(a) REJECTION SHOULD BE WITHDRAWN

Claims 20-29 stand rejected under 35 U.S.C. §103(a) for being obvious with respect to Fesco in view of Hall et al. (U.S. Patent No. 6,009,925).

Claim 20 recites “[a] method for manufacturing a filter bag according to claim 1, comprising of steps: a) producing a substantially tubular bag having at least partially closed area on a closed side of the bag; b) introducing a die from an open side of the bag in a direction of the closed side of the bag so that a bottom is produced by folding the bag over the die; and c) connecting plies in the bottom which, as a result of the folding, are arranged one above the other.”

The Examiner correctly acknowledges that Fesco fails to disclose introducing a die to an open side of the bag so that the bottom of the bag is closed. (See 10/21/08 Office Action, p. 3). In order to cure this deficiency, the Examiner refers to Hall. However, Hall states that “the invention permits medical products, such as blood bags, catheters and compression sleeves.” (See Hall, col. 5, ll. 55-57). Hall also explains that the purpose of these products is “so that the medical products do not discharge toxins when they are incinerated or buried in a landfill.” (*Id.*, ll. 59-60). Applicants respectfully submit that in order for this objective to be met, the product cannot be permeable. In contrast, a vacuum bag must be permeable to allow air to pass through it. Thus, it is respectfully submitted that there would be no basis to combine the method of Hall with the filter of Fesco because the two arts are entirely different and the resulting combination would yield a non-permeable bag, which could not be used as a vacuum filter bag.

Therefore, Applicant respectfully submits that Hall fails to cure the deficiencies of Fesco and that Fesco and Hall, taken alone or in combination, fail to disclose or suggest “*a method for manufacturing a filter bag according to claim 1*” and “*introducing a die from an open side of the bag in a direction of the closed side of the bag so that a bottom is produced by folding the bag over the die.*” Thus, it is respectfully submitted that claim 20 and its dependent claims 21-29 are allowable.

CONCLUSION

In light of the foregoing, Applicant respectfully submits that all of the pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

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Respectfully,

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